

Senate Study Bill 3037

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CO=CHAIRPERSON McKIBBEN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the election of mayor and city council members
2 in a city governed by the council=manager=at=large form of
3 city government.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5004SK 81
6 sc/je/5

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1 1 Section 1. Section 372.6, Code 2005, is amended to read as
1 2 follows:

1 3 372.6 COUNCIL=MANAGER=AT=LARGE FORM.

1 4 1. A city governed by the council=manager=at=large form
1 5 has five council members elected at large for staggered four=
1 6 year terms. At the first meeting of the new term following
1 7 each city election, the council shall elect one of the council
1 8 members to serve as mayor, and one to serve as mayor pro tem.
1 9 The mayor is a member of the council and may vote on all
1 10 matters before the council. As soon as possible after the
1 11 beginning of the new term following each city election, the
1 12 council shall appoint a manager.

1 13 2. a. The city council of a city governed by the council=
1 14 manager=at=large form may provide for the election of a mayor
1 15 and four council members elected at large by adoption of an
1 16 ordinance meeting the requirements of paragraph "c", subject
1 17 to approval of the ordinance by the registered voters of the
1 18 city. After final adoption of the ordinance by the council,
1 19 the council shall, in a timely manner, direct the county
1 20 commissioner of elections to put the question of approval of
1 21 the ordinance on the ballot for the next general election or
1 22 the next regular city election, whichever occurs first. If
1 23 the ballot proposal is approved, the ordinance is effective
1 24 beginning with the next following regular city election.

1 25 b. In lieu of paragraph "a", if a petition valid under
1 26 section 362.4 is filed with the city clerk, the proposal to
1 27 provide for the direct election of a mayor and four council
1 28 members elected at large shall be placed on the ballot for the
1 29 next general election or the next regular city election,
1 30 whichever occurs first. If the ballot proposal is approved,
1 31 the city council shall adopt an ordinance meeting the
1 32 requirements of paragraph "c", and the ordinance is effective
1 33 beginning with the next following regular city election.

1 34 c. The ordinance shall provide that the mayor is a member
1 35 of the council and may vote on all matters before the council.
2 1 The ordinance shall provide that the term of office of the
2 2 mayor is four years and, after each regular city election, the
2 3 mayor shall appoint a council member as mayor pro tem. The
2 4 ordinance shall provide that the mayor is a member of the
2 5 council for purposes of maintaining staggered terms on the
2 6 council. A council member's term shall not be shortened or
2 7 lengthened as a means of initially implementing the ordinance.

2 8 d. An ordinance adopted and approved under this subsection
2 9 is not subject to repeal until the ordinance has been in
2 10 effect for at least six years. The question of repeal of the
2 11 ordinance is subject to the adoption and approval requirements
2 12 of paragraph "a" or "b", as applicable.

2 13 3. The council may by ordinance provide that the city will
2 14 be governed by council=manager=ward form. The ordinance must
2 15 provide for the election of the mayor and council members

2 16 required under council=manager=ward form at the next regular
2 17 city election.

2 18 EXPLANATION

2 19 Under current law, the council=manager=at=large form of
2 20 city government is required to have five city council members
2 21 who serve four=year terms. After each regular city election,
2 22 a mayor and mayor pro tem are chosen by the council from among
2 23 the council members.

2 24 This bill allows a city governed by the council=manager=
2 25 at=large form to, by ordinance, provide for the election of a
2 26 mayor and four council members at large at the regular city
2 27 election. The bill provides that the mayor is a member of the
2 28 council and serves a four=year term. The bill also provides
2 29 that the mayor shall choose a mayor pro tem from among the
2 30 four council members.

2 31 The bill requires city voters to approve the ordinance
2 32 adopted by the city council before the ordinance is effective.
2 33 In the alternative, a petition requesting that the question of
2 34 adoption of such an ordinance may be submitted, and if
2 35 approved at election, the council shall adopt the ordinance.

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